

AMENDED IN ASSEMBLY APRIL 28, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

ASSEMBLY BILL

No. 547

Introduced by Assembly Member Liu

February 18, 2003

An act to add Section ~~1367.666 to the Health and Safety Code, and to add Section 10123.175 to the Insurance Code, relating to health care coverage.~~ 66025.6 to the Education Code, relating to student financial aid, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 547, as amended, Liu. ~~Ovarian cancer coverage~~ *Student financial aid: California National Guard: grants.*

Under existing law, the Military Department is, among other duties, responsible for the command, leadership, and management of the California National Guard.

This bill would require the Military Department, each fiscal year, from funds made available to it in the annual Budget Act or in another statute, to make grants to members of the California National Guard who are California residents, who are active members of the California National Guard or the State Military Reserve, as defined, who maintain satisfactory participation in unit training, and who are enrolled on at least a half-time basis at a campus of the University of California, the California State University, or the California Community Colleges. The bill would prohibit the amount of a grant from exceeding the amount that the recipient student was charged in that fiscal year for tuition and mandatory systemwide fees. The bill would authorize the Adjutant

General to adopt regulations establishing procedures for the implementation of the bill.

The bill would appropriate an unspecified amount from the General Fund to the Military Department for expenditure, without regard to fiscal year, for tuition and fee grants for students who qualify for these grants.

The bill would declare that it is to take effect immediately as an urgency statute.

~~Existing law, the Knox-Keene Health Care Service Plan Act of 1975, provides for the regulation of health care service plans by the Department of Managed Health Care and makes a violation of the act's provisions a crime. Existing law provides for the regulation of health insurers by the Department of Insurance. Under existing law, a health care service plan and a health insurer are deemed to provide coverage for all generally medically accepted cancer screening tests.~~

~~This bill would specifically provide that a health care service plan and a health insurer would be deemed to provide coverage for specified tests and procedures relating to the screening and diagnosis of ovarian cancer.~~

~~Because the bill would specify additional requirements for a health care service plan, the violation of which would be a crime, it would impose a state-mandated local program.~~

~~The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.~~

~~This bill would provide that no reimbursement is required by this act for a specified reason.~~

Vote: ~~majority~~ ²/₃. Appropriation: ~~no~~ yes. Fiscal committee: yes. State-mandated local program: ~~yes~~ no.

The people of the State of California do enact as follows:

- 1 ~~SECTION 1. Section 1367.666 is added to the Health and~~
- 2 ~~SECTION 1. Section 66025.6 is added to the Education Code,~~
- 3 ~~to read:~~
- 4 66025.6. (a) Each fiscal year, the Military Department, from
- 5 funds made available to it in the annual Budget Act or in another
- 6 statute, shall make grants to members of the California National
- 7 Guard and the State Military Reserve who meet the qualifications

1 set forth in subdivision (b). No grant may exceed the amount that
2 the recipient student was charged during that fiscal year for tuition
3 and mandatory systemwide fees at any campus of the University of
4 California, the California State University, or the California
5 Community Colleges.

6 (b) A student qualifies for a grant under this section if he or she
7 meets all of the following requirements:

8 (1) Resident classification, as defined in Section 68022.

9 (2) Active membership in the California Army National Guard
10 or the California Air National Guard, as defined in Section 101 of
11 Title 32 of the United States Code as that section exists on January
12 1, 2003, or the State Military Reserve, as defined in Chapter 3
13 (commencing with Section 550) of Part 2 of Division 2 of the
14 Military and Veterans Code, for a minimum of one year prior to the
15 submission of an application for a grant under this section.

16 (3) Satisfactory participation in unit training, as determined by
17 the Office of the Adjutant General, during the year prior to
18 submission of an application for a grant under this section and for
19 all subsequent periods during which a grant under this section is
20 provided or requested.

21 (4) Enrollment, on an at least a half-time basis, in an
22 undergraduate or graduate program of instruction at a campus of
23 the University of California, the California State University, or the
24 California Community Colleges.

25 (c) The Office of the Adjutant General is authorized to adopt
26 and publish regulations establishing procedures for the
27 implementation of this section.

28 SEC. 2. The sum of ____ dollars (\$____) is hereby
29 appropriated from the General Fund to the Military Department
30 for expenditure, without regard to fiscal years, in accordance with
31 Section 66025.6 of the Education Code, for tuition and fee grants
32 for qualifying members of the California National Guard and the
33 State Military Reserve.

34 ~~Safety Code, to read:~~

35 ~~1367.666. Every individual or group health care service plan~~
36 ~~contract, except for a specialized health care service plan contract,~~
37 ~~that is issued, amended, delivered, or renewed on or after January~~
38 ~~1, 2004, shall be deemed to provide coverage for the screening and~~
39 ~~diagnosis of ovarian cancer, including, but not limited to, the~~
40 ~~appropriate blood tests, a transvaginal sonogram, and a~~

1 ~~rectovaginal pelvic examination when medically necessary and~~
2 ~~consistent with good professional practice.~~

3 ~~SEC. 2. Section 10123.175 is added to the Insurance Code, to~~
4 ~~read:~~

5 ~~10123.175. (a) Every individual or group health insurance~~
6 ~~policy that is issued, amended, delivered, or renewed on or after~~
7 ~~January 1, 2004, shall be deemed to provide coverage for the~~
8 ~~screening and diagnosis of ovarian cancer, including, but not~~
9 ~~limited to, the appropriate blood tests, a transvaginal sonogram,~~
10 ~~and a rectovaginal pelvic examination when medically necessary~~
11 ~~and consistent with good professional practice.~~

12 ~~(b) This section shall not apply to Medicare supplement,~~
13 ~~vision-only, dental-only, or Champus supplement insurance, or to~~
14 ~~hospital indemnity, accident-only, or specified disease insurance~~
15 ~~that does not pay benefits on a fixed-benefit, cash payment only~~
16 ~~basis.~~

17 ~~SEC. 3. No reimbursement is required by this act pursuant to~~
18 ~~Section 6 of Article XIII B of the California Constitution because~~
19 ~~the only costs that may be incurred by a local agency or school~~
20 ~~district will be incurred because this act creates a new crime or~~
21 ~~infraction, eliminates a crime or infraction, or changes the penalty~~
22 ~~for a crime or infraction, within the meaning of Section 17556 of~~
23 ~~the Government Code, or changes the definition of a crime within~~
24 ~~the meaning of Section 6 of Article XIII B of the California~~
25 ~~Constitution.~~